

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- x  
VERNON COVINGTON,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

**RESPONSES AND  
OBJECTIONS TO  
PLAINTIFF'S FIRST SET  
OF INTERROGATORIES  
AND DOCUMENT  
REQUESTS BY  
DEFENDANT CITY**

----- x 14-CV-1856 (JBW) (CLP)

Pursuant to Rules 26, 33, and 34 of the Federal Rules of Civil Procedure, defendant City of New York responds and objects to Plaintiff's First Set of Discovery Demands as follows.

**GENERAL STATEMENT AND GENERAL OBJECTIONS**

1. By responding to any request, defendant does not concede the materiality of the subject to which it refers. Defendant's responses are made expressly subject to, and without waiving or intending to waive, any questions, or objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence or for any other purpose, of any of the documents or information produced, or of the subject matter thereof, in any proceeding including the trial of this action or any subsequent proceeding.

2. Defendant objects to these Interrogatories and Document Requests to the extent that they demand documents and/or information that are protected by the attorney-client or work-product privilege, or that constitute material prepared for litigation purposes.

3. Inadvertent production of any document or information that is privileged, was prepared in anticipation of litigation, or is otherwise immune from discovery, shall not constitute a waiver of any privilege or of another ground for objecting to discovery with respect

to that document or any other document, or its subject matter, or the information contained therein, or of defendant's right to object to the use of any such document or the information contained therein during any proceeding in this litigation or otherwise.

4. Defendant objects in the entirety to any request for information or production from entities not represented by the Corporation Counsel of the City of New York.

5. Defendant objects to these Interrogatories and Document Requests to the extent that they impose obligations upon defendant that exceed the Federal Rules of Civil Procedure, the Local Civil Rules, or the Judges' individual rules.

6. With respect to the request for the production of documents, defendant will provide, under separate cover, a privilege index, if necessary.

7. Defendant further objects in the entirety to the Interrogatories to the extent that they seek the home address of individuals identified by the defendant in response to the Interrogatories.

8. Defendant objects to the Interrogatories under FED. R. CIV. P. 33(a) to the extent they exceed twenty-five in number including all discrete subparts.

9. Defendant is continuing to search for information responsive to plaintiff's requests and therefore reserves the right to supplement his response to each request with additional information, if and when such information becomes available to defendant's counsel. Defendant also reserves the right to object to the future disclosure of any such information.

### **INTERROGATORIES**

#### **INTERROGATORY NO. 1:**

Identify all members of the NYPD who were physically present at the arrest of plaintiff in Kings County, New York, on January 15, 2013 (the "Arrest"), and, for each such

person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command, and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 1:**

Defendant objects to Interrogatory No. 1 on the grounds that it is vague, ambiguous, overbroad, not sufficiently limited in scope, and to the extent it seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving or in any way limiting these objections and the General Objections, defendant refers plaintiff to its Initial Disclosures pursuant Fed. R. Civ. P. 26(a)(1)(A)(i), dated May 14, 2014, to the documents annexed thereto bearing Bates Stamp Nos. NYC 1-4, and to the documents annexed hereto bearing Bates Stamp Nos. NYC 11-13 for information responsive to this request.

**INTERROGATORY NO. 2:**

Identify persons physically present at the Arrest, other than those identified in response to Interrogatory 1, and, for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and

phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 2:**

Defendant objects to Interrogatory No. 2 on the grounds that it is vague, ambiguous, overbroad, not sufficiently limited in scope, assumes facts not established, and to the extent it seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving or in any way limiting these objections and the General Objections, defendant refers plaintiff to its Initial Disclosures pursuant Fed. R. Civ. P. 26(a)(1)(A)(i), dated May 14, 2014, to the documents annexed thereto bearing Bates Stamp Nos. NYC 1-4, and to the documents annexed hereto bearing Bates Stamp Nos. NYC 11-13 for information responsive to this request.

**INTERROGATORY NO. 3:**

State whether defendants are claiming plaintiff had any narcotics, weapons, or other contraband in his personal, physical possession, and if so, identify each item of contraband defendants allege plaintiff actually possessed.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 3:**

Defendant objects to Interrogatory No. 3 on the grounds that it is vague, ambiguous, overbroad, assumes facts not established, is not sufficiently limited in time or scope, and is premature. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC 1-5, 9-10, and to the documents annexed hereto bearing Bates Stamp Nos. NYC and 14-17 for information responsive to this request.

**INTERROGATORY NO. 4:**

State whether defendants are claiming plaintiff had any marked buy money in his personal, physical possession, and if so, identify the amounts and denominations defendants allege plaintiff actually possessed.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 4:**

Defendant objects to Interrogatory No. 4 on the grounds that it is vague, ambiguous, overbroad, duplicative, assumes facts not established, is not sufficiently limited in time or scope, and is premature. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC 1-5, 9-10, and to the documents annexed hereto bearing Bates Stamp Nos. NYC and 14-17 for information responsive to this request.

**INTERROGATORY NO. 5:**

State whether defendants are claiming any member(s) of the NYPD are claiming to have actually seen plaintiff holding narcotics in his hand at any time on the date of his Arrest, and for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 5:**

Defendant objects to Interrogatory No. 5 on the grounds that it is vague, ambiguous, overbroad, duplicative, assumes facts not established, is not sufficiently limited in time or scope, and is premature. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC 1-5, 9-10, and to the documents annexed hereto bearing Bates Stamp Nos. NYC and 14-17 for information responsive to this request.

**INTERROGATORY NO. 6:**

State whether defendants are claiming plaintiff had constructive possession of any narcotics, weapons, or other contraband, and, if so, identify each item of contraband defendants allege plaintiff constructively possessed.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 6:**

Defendant objects to Interrogatory No. 6 on the grounds that it is vague, ambiguous, overbroad, assumes facts not established, is not sufficiently limited in time or scope, and is premature. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC 1-5, 9-10, and to the documents annexed hereto bearing Bates Stamp Nos. NYC and 14-17 for information responsive to this request.

**INTERROGATORY NO. 7:**

Identify all crimes and offenses for which defendants are claiming they had probable cause to arrest plaintiff at the time of the Arrest, and for each such crime or offense, set forth the applicable statutory code or provision.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 7:**

Defendant objects to Interrogatory No. 7 on the grounds that it is vague, ambiguous, overbroad, premature, and to the extent there is a more practical method of obtaining the information sought. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC 1-3 and to the documents annexed hereto bearing Bates Stamp Nos. NYC 19-20 for information responsive to this request.

**INTERROGATORY NO. 8:**

Identify all persons whom defendants claim personally witnessed plaintiff engage in any criminal or unlawful conduct on the date of the Arrest, for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 8:**

Defendant objects to Interrogatory No. 8 on the grounds that it is vague, ambiguous, overbroad, duplicative, assumes facts not established, is not sufficiently limited in time or scope, and is premature. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to its Initial Disclosures pursuant Fed. R. Civ. P. 26(a)(1)(A)(i), dated May 14, 2014, to the documents annexed thereto bearing

Bates Stamp Nos. NYC 1-4, and to the documents annexed hereto bearing Bates Stamp Nos. NYC 14-16 for information responsive to this request.

**INTERROGATORY NO. 9:**

Identify each item of contraband recovered incident to the Arrest of plaintiff and/or the other individuals arrested with him, and for each such item, (i) state where within the premises the item was found; and (ii) identify the person(s) who found the item, and, for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 9:**

Defendant objects to Interrogatory No. 9 on the grounds that it is vague, ambiguous, overbroad, assumes facts not established, is not sufficiently limited in time or scope, is premature, and to the extent that it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request to the extent that it implicates the sealing provisions of N.Y. C.P.L. §§ 160.50, 160.55 and/or other state or federal laws, seeks private and/or confidential information related to non-parties to this action, and to the extent that it implicates the law enforcement privilege. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC



5, 9, and 10, and to the documents annexed hereto bearing Bates Stamp Nos. NYC 14-16 for information responsive to this request.

**INTERROGATORY NO. 10:**

Identify the person(s) who made the decision to arrest, and/or approved the decision to arrest plaintiff at the time of the Arrest, and, for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 10:**

Defendant objects to Interrogatory No. 10 on the grounds that it is vague, ambiguous, overbroad, duplicative, assumes facts not established, and to the extent it seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving or in any way limiting these objections and the General Objections, defendant refers plaintiff to his Initial Disclosures pursuant Fed. R. Civ. P. 26(a)(1)(A)(i), dated May 14, 2014, and to the documents annexed thereto bearing Bates Stamp Nos. NYC 1-4 for information responsive to this request.

**INTERROGATORY NO. 11:**

State the outcome of the prosecution of Marvin Lowe.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 11:**

In addition to the General Objections, defendant objects to Interrogatory No. 11 on the grounds that it is vague, ambiguous, is not relevant or reasonably calculated to lead to the discovery of admissible evidence, and to the extent that it seeks information beyond the scope of the Amended Complaint and Fed. R. Civ. P. 26(b). Defendant further objects to this request to the extent that it implicates the sealing provisions of N.Y. C.P.L. §§ 160.50, 160.55 and/or other state or federal laws, seeks private and/or confidential information related to non-parties to this action, and to the extent that it implicates the law enforcement privilege.

**INTERROGATORY NO. 12 :**

Identify each member of the NYPD who communicated with the King's County District Attorney ("KCDA"), verbally or in writing, and, for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 12:**

Defendant objects to Interrogatory No. 12 on the grounds that it is vague, ambiguous, overbroad, assumes facts not established, and to the extent that it seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving or in any way limiting these objections and the General

Objections, defendant identifies Detective Nelson, who was previously identified in defendant's Initial Disclosures pursuant Fed. R. Civ. P. 26(a)(1)(A)(i), dated May 14, 2014.

**INTERROGATORY NO. 13:**

Identify each member of the office of the KCDA who communicated with any member of the NYPD concerning the Arrest and/or subsequent decision whether to prosecute plaintiff and, for each such person, provide their current, or last known, address and phone number, except if the person is currently a member of law enforcement, provide that individual's shield number, present job title, command and location. If defendants are identifying persons by referring to other responses, identify which persons to which defendants so refers, and the documents that provide their current, or last known, address and phone number, except if the person is a member of law enforcement, then identify those documents that provide the individual's shield number, present job title, command and location. If defendants are identifying persons by reference to any documents or materials, please identify each such document with specificity.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 13:**

Defendant objects to Interrogatory No. 13 on the grounds that it is vague, ambiguous, overbroad, duplicative, assumes facts not established, is not sufficiently limited in time or scope, to the extent that it seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence, and to the extent that it seeks information that is not within defendant's possession, custody, or control. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant identifies Assistant District Attorney Robert Vlacci, Office of the District Attorney, Kings County, 350 Jay Street, Brooklyn, New York 11201, and refers plaintiff to the documents annexed hereto bearing Bates Stamp Nos. NYC 14-16 for information responsive to this request.

**INTERROGATORY NO. 14:**

State whether the KCDA declined to prosecute plaintiff pursuant to the Arrest and, if so, state the reason(s) for the declination.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 14:**

Defendant objects to Interrogatory No. 14 on the grounds that it is vague, ambiguous, overbroad, duplicative, to the extent that it seeks information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence, and to the extent that it seeks information that is not within defendant's possession, custody, or control. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant states that the KCDA declined to prosecute plaintiff and refers plaintiff to the documents annexed hereto bearing Bates Stamp Nos. NYC 14-16 for additional information responsive to this request.

**INTERROGATORY NO. 15:**

State whether Marvin Lowe filed any Notices of Claim concerning his arrest on January 15, 2013.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 15:**

In addition to the General Objections, defendant objects to Interrogatory No. 15 on the grounds that it is vague, ambiguous, unduly burdensome, is not relevant or reasonably calculated to lead to the discovery of admissible evidence, to the extent that it seeks information beyond the scope of the Amended Complaint and Fed. R. Civ. P. 26(b), and to the extent that it implicates the privacy interests of a non-party.

**INTERROGATORY NO. 16:**

State whether the City of New York is asserting any liens against any of the monies that may be recovered by plaintiff in this action.

**OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 16:**

In addition to the General Objections, defendant objects to Interrogatory No. 16 on the grounds that it is vague, ambiguous, overbroad, premature, speculative, assumes facts not established, seeks information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, seeks information that is not within defendant's possession or control, and to the extent that it seeks information that is equally, if not more readily, available to plaintiff.

**DOCUMENT REQUESTS**

**DOCUMENT REQUEST NO. 1:**

All photographs, video, digital images, or other similar media depicting Marvin Lowe, taken incident to his arrest on the date of the Arrest.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 1:**

In addition to the General Objections, defendant objects to Document Request No. 1 on the grounds that it is vague, ambiguous, seeks information that is not in defendant's possession, custody, or control, is not relevant or reasonably calculated to lead to the discovery of admissible evidence, to the extent that it seeks information beyond the scope of the Amended Complaint and Fed. R. Civ. P. 26(b), to the extent that it implicates the privacy interests of a non-party, and to the extent that it implicates the sealing provisions of N.Y. C.P.L. §§ 160.50, 160.55 and/or other state or federal laws.

**DOCUMENT REQUEST NO. 2:**

All documents, communications, and electronically memorialized information created or possessed by the defendants concerning the Arrest or the alleged possession of a weapon or any other contraband by plaintiff, including but not limited to all notes, court records,

complaint forms, DD5s, command log entries, memo book entries, daily activity reports, online booking sheets, tactical plans, activity logs, activity reports, and handwritten drafts of any documents later typed or recreated in a different form, and any and all other materials relevant to this demand.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 2:**

Defendant objects to Document Request No. 2 and its discrete subparts on the grounds that it is vague, ambiguous, overbroad, not sufficiently limited in scope, duplicative, assumes facts not established, to the extent it seeks documents that are not relevant or reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks documents that are not in defendant's custody, possession, or control, and to the extent it seeks documents that are protected by law enforcement privilege. Subject to, and without waiving or in any way limiting these objections and the General Objections, defendant refers plaintiff to the documents previously produced bearing Bates Stamp Nos. NYC 1-10 and to the documents produced herein bearing Bates Stamp Nos. NYC 11- 23.

**DOCUMENT REQUEST NO. 3:**

All documents, communications, and electronically memorialized information created or possessed by the KCDA concerning the arrest of plaintiff, including court records, discovery documentation, intake notes, screening shots, GJ Synopsis forms, declination memoranda, and any other materials that reference the prosecution of plaintiff, the decision to dismiss or not to challenge or appeal from the dismissal of the charges against plaintiff, any and all other materials relevant to plaintiff's Arrest.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 3:**

Defendant objects to Document Request No. 3 on the grounds that it is vague, ambiguous, overbroad, assumes facts that are not established, is not relevant or reasonably

calculated to lead to the discovery of admissible evidence, to the extent that there is a more practical method to obtain the information sought, and to the extent that it seeks documents that are not within defendant's possession, custody or control. Subject to and without waiving or in any way limiting these objections and the General Objections, defendant refers plaintiff to the documents annexed hereto bearing Bates Stamp Nos. NYC 14-16.

**DOCUMENT REQUEST NO. 4:**

All documents, communications, and electronically memorialized information created or possessed by the defendants concerning the arrest of Marvin Lowe on or about January 15, 2013, and subsequent prosecution, including but not limited to all notes, court records, complaint forms, DD5s, command log entries, memo book entries, daily activity reports, online booking sheets, tactical plans, activity logs, activity reports, and handwritten drafts of any documents later typed or recreated in a different form, and any and all other materials relevant to this demand.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 4:**

Defendant objects to Document Request No. 4 on the grounds that it is vague, ambiguous, overbroad, duplicative, assumes facts not established, seeks information that is not in defendant's possession, custody, or control, is not relevant or reasonably calculated to lead to the discovery of admissible evidence, to the extent that it seeks information beyond the scope of the Amended Complaint and Fed. R. Civ. P. 26(b), to the extent that it implicates the privacy interests of a non-party, and to the extent that it implicates the sealing provisions of N.Y. C.P.L. §§ 160.50, 160.55 and/or other state or federal laws. Subject to and without waiving of in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed documents bearing Bates Stamp Nos. NYC 4, 5, 9, 10, and to the documents produced herein bearing Bates Stamp Nos. NYC 11-16, and 21-22.

**DOCUMENT REQUEST NO. 5:**

All photographs, video, digital images, or other similar media depicting plaintiff, taken at any time.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 5:**

Defendant objects to Document Request No. 5 on the grounds that it is vague, ambiguous, overbroad, not sufficiently limited in time or scope, assumes facts not established, is not relevant or reasonably calculated to lead to the discovery of admissible evidence, to the extent that this request seeks documents that are not within the possession, custody or control of the defendant, and to the extent that this request seeks documents that are equally or more available to plaintiff. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to the previously disclosed document bearing Bates Stamp No. NYC 7.

**DOCUMENT REQUEST NO. 6:**

All photographs, video, digital images, or other similar media depicting the contraband defendants claim to have recovered from plaintiff at the time of the Arrest.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 6:**

In addition to the General Objections, defendant objects to Document Request No. 6 on the grounds that it is vague, ambiguous, overbroad, speculative, duplicative, assumes facts not established, and is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant states that there are no documents responsive to this request.



**DOCUMENT REQUEST NO. 7:**

All documents, communications, and electronically memorialized information created or possessed by defendants concerning any field tests, laboratory reports, or other forensic tests conducted on the contraband allegedly recovered from plaintiff.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 7:**

In addition to the General Objections, defendant objects to Document Request No. 7 on the grounds that it is vague, ambiguous, overbroad, speculative, duplicative, assumes facts not established, and is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant states that there are no documents responsive to this request.

**DOCUMENT REQUEST NO. 8:**

All SPRINT reports concerning the Arrest.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 8:**

In addition to the General Objections, defendant objects to Document Request No. 8 on the grounds that it is vague, ambiguous, assumes facts not established, and is not relevant or reasonably calculated to lead to the discovery of admissible evidence.

**DOCUMENT REQUEST NO. 9:**

All documents, communications, recordings, and electronically memorialized information obtained by defendants in response to any subpoenas or requests made pursuant to FOIA or FOIL for records relating to plaintiff.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 9:**

In addition to the General Objections, defendant objects to Document Request No. 9 on the grounds that it is vague, ambiguous, assumes facts not established, is not limited in time or scope, is not relevant or reasonably calculated to lead to the discovery of admissible

evidence, and to the extent that the documents sought are equally available to plaintiff. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant states that, as of the date of these responses, there are no documents responsive to this request.

**DOCUMENT REQUEST NO. 10:**

All documents, communications, recordings, and electronically memorialized information concerning any liens the defendants intend to assert against any monies recovered by plaintiff in this action.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 10:**

See defendant's objections and response to Interrogatory No. 16.

**DOCUMENT REQUEST NO. 11:**

All documents, communications, recordings, and electronically memorialized information referred to in the responses to the above interrogatories not otherwise produced in response to the demands herein or in the defendants' initial disclosure.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 11:**

Defendant objects to Document Request No. 11 on the grounds that it is vague, ambiguous, overbroad, assumes facts that are not established, speculative, not sufficiently limited in scope, seeks documents that are not relevant or reasonably calculated to lead to the discovery of admissible evidence, to the extent it seeks documents not within defendant's possession, custody or control, to the extent that it implicates the privacy interests of the parties non-parties, and to the extent it implicates the law enforcement privilege. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant refers plaintiff to its Objections and Responses to the preceding Interrogatories and Document Requests.

**DOCUMENT REQUEST NO. 12:**

All documents, communications, recordings, and electronically memorialized information defendants will rely on to defend themselves against the allegations in the instant action. If the documents are being or have been produced in response to a different discovery request, state their Bates stamp numbers.

**OBJECTIONS AND RESPONSE TO DOCUMENT REQUEST NO. 12:**

Defendants object to Document Request No. 12 on the grounds that it is vague, ambiguous, overbroad, premature, duplicative, is beyond the scope of the Federal Rules of Civil Procedure, seeks documents which may not be relevant or reasonably calculated to lead to the discovery of admissible evidence, and to the extent it seeks documents not within defendant's possession, custody or control. Subject to and without waiving or in any way limiting these objections or the General Objections, defendant states that it will continue to comply with its discovery obligations under the Federal Rules of Civil Procedure, and refers plaintiff to its answer to the complaint, answer to the Amended Complaint, its Initial Disclosures pursuant Fed. R. Civ. P. 26(a)(1)(A)(i), dated May 14, 2014, its Objections and Responses to the preceding Interrogatories and Document Requests, and the documents previously produced and produced herein bearing Bates Stamp Nos. NYC 1-23.

Dated: New York, New York  
June 18, 2014

ZACHARY W. CARTER  
Corporation Counsel of the City of New York  
*Attorney for Defendant City*  
100 Church Street, 3rd Floor  
New York, New York 10007  
(212) 356-2425

By:

  
Melanie Speight  
Assistant Corporation Counsel

cc: VIA FIRST CLASS MAIL  
Michael B. Lumer  
Lumer & Neville  
*Counsel for Plaintiff*  
225 Broadway, Suite 2700  
New York, NY 10007  
212-566-5060  
Email: mlumer@lumerneville.com



BLIND # 24

pg. 5a

CITY OF NEW YORK  
POLICE DEPARTMENT

A 880416

Name Det Nelson, J Tax Reg. No. [REDACTED]

Date Opened 12/18/12 Supervisory Officer [Signature]

Date Closed 07/24/13 Supervisory Officer [Signature]

PD 112-145 (07-0)



Tras 01/15/13, 1500 + 2333

QPRs: A/O w/ UIC's

1500' PFD @ BEND

1745/183: 98, RA# 3298, Ref Giovanni

Det. Goodwin, B+B in 88/84 Pat E.

U/C's. Ertulo. 505 Myrtle

1830/1840; д/д w/д Ч/к

1840/1845: Ertulo Car Horn + Murchie

18/5/1970: A/W w/w 2 Ards.ets

-1915. 1 under Myrtle + N. Portland

Lowell, M H/B, 220.39 to U/C #234

(29. seiner Eltern)

- 1920 : 1 under fls 132 Car/Hon

Couington, V H/B 220.39 to U/C #234

3-AAA

19/10/2000: Erst v/b Clinton + Fulton

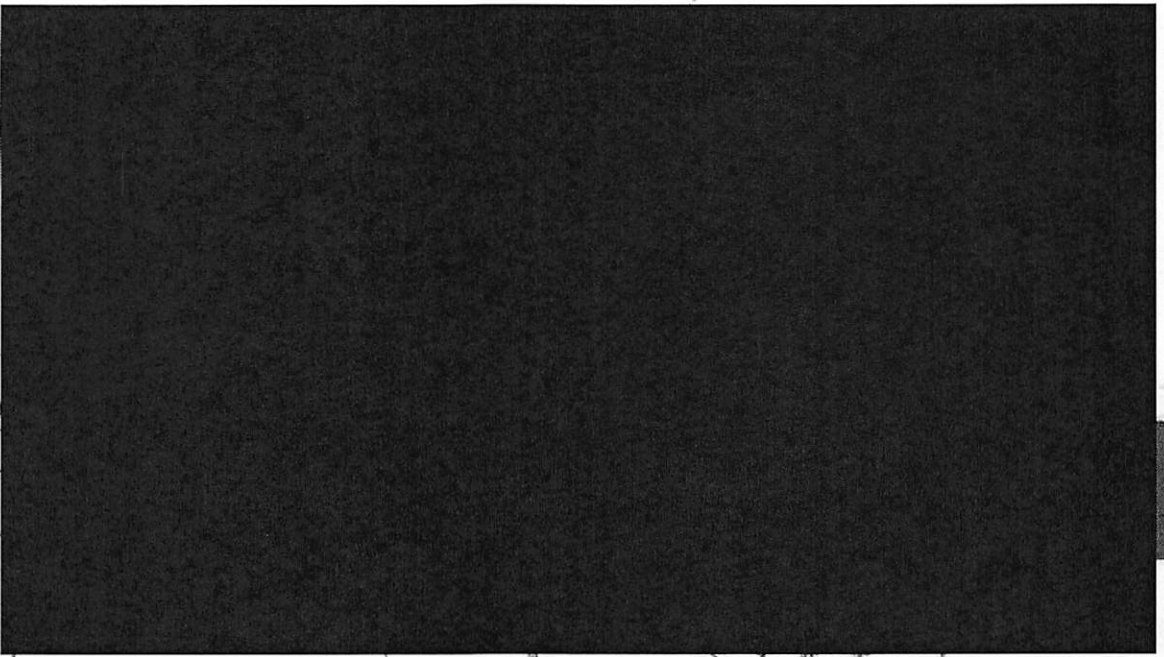
2000/2100: K/W H/W R

2100 2105: Ertulo and Sensel Chambers



NYC 13

2105/2130: AKA in A. A/P  
2130/2146: E.T. 24 Pct  
2146/2170: AKA in A. A/P  
2170/2180: E.T. 100%  
2180: CTC  
0333: E.T. 100% 2/4/08





KENNETH P. THOMPSON  
District Attorney

OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY

RENAISSANCE PLAZA at 350 JAY STREET  
BROOKLYN, N.Y. 11201-2908  
(718) 250-2000

**DECLINED PROSECUTION**

Declined date: January 16, 2013

Arrest Number: K13604704

Defendant: COVINGTON, VERNON

DOB: [REDACTED]

Address: [REDACTED], BROOKLYN, NY

Arrest: 01/15/13 19:20

PCT of arrest: 088

Arresting officer: JENNYANN NELSON, TAX ID [REDACTED], Shield: 4900, CMD: 547

Arrest Charges: PL 2200300 PL 2201601 PL 2203901

Occurrence: 01/15/13 19:12

PCT of occurrence: 088

Location: MYRTLE AVENUE AND WASHINGTON PARK

**STATEMENT OF FACTS**

AT TPO UC APPROACHED [REDACTED] AND ENGAGED IN CONVERSATION. [REDACTED] ASKED UC WHAT WAS UC LOOKING FOR, UC REPLIED \$30 WORTH OF HEROIN.

UC HANDED [REDACTED] \$30 PRBM. [REDACTED] TOLD UC TO WAIT AT LOCATION. UC OBSERVED [REDACTED] WALK AWAY.

GHOST UC OBSERVED [REDACTED] WALK AWAY FROM UC AND APPROACH COVINGTON.

GHOST UC OBSERVED [REDACTED] AND COVINGTON TOUCH HANDS AND [REDACTED] WALKED BACK TO UC.

SHORTLY THEREAFTER UC OBSERVED [REDACTED] RETURN AND HAND UC 2 GLASSINE ENVELOPES CONTAINING HEROIN.

POSITIVE FIELD TEST.

UC AND GHOST NOTIFIED FIELD TEAM.

[REDACTED] ARRESTED.

A/O RECOVERED \$10 PRBM FROM [REDACTED] PERSON. NO STASH.

COVINGTON ARRESTED. NOTHING RECOVERED.

**Reason for declined prosecution:**

Insufficient Evidence to Prosecute

**Details:**

THERE IS INSUFFICIENT EVIDENCE TO ESTABLISH THAT DEFENDANT ACTED IN CONCERT OR FACILITATED A SALE OF HEROIN WITH ANOTHER PERSON TO AN UC. NOTHING WAS RECOVERED FROM DEFENDANT. DEFENDANT MADE NO INCRIMINATING STATEMENT. GHOST UC SAW HAND TOUCHING. GHOST UC DID NOT SEE MONEY EXCHANGE OR PACKAGING. ONLY HANDS TOUCHING.

**Efforts made to reach witness:**

**Instructions to arresting officer:**

RELEASE DEFENDANT IF THERE ARE NO HOLDS OR WARRANTS.

This instrument will remain on file as part of the record of the Office of the District Attorney of Kings county.

Before re-arrest, please contact the Complaint Room Deputy on duty at (718) 250-3500.

DA Copy  
**NYC 14**





KENNETH P. THOMPSON  
*District Attorney*

OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY  
RENAISSANCE PLAZA at 350 JAY STREET  
BROOKLYN, N.Y. 11201-2908  
(718) 250-2000

## DECLINED PROSECUTION

Declined date: January 16, 2013

Signature: \_\_\_\_\_

By Assistant District Attorney: screener Robert Vlacchi

This instrument will remain on file as part of the record of the Office of the District Attorney of Kings county.  
Before re-arrest, please contact the Complaint Room Deputy on duty at (718) 250-3500.

DA Copy  
**NYC 15**

K 13609704


**DESIGNATION OF AGENT FOR ACCESS TO  
SEALED RECORDS PURSUANT TO NYCPL 160.50(1)(d)**

I, Vernon Covington, pursuant to CPL § 160.50(1)(d), hereby designate ZACHARY CARTER, Corporation Counsel of the City of New York, or his authorized representative, as my agent to whom records relating to my arrest on or about Jan. 15, 2014, ~~2013~~, in Kings County, New York, ~~and prosecution in~~  
~~County, under docket/indictment number~~  
~~may be made available for use in a Civil Action that is now pending or~~  
which I anticipate will be filed.

I understand that until now the aforesaid records have been sealed pursuant to CPL 160.50, which permits those records to be made available only (1) to persons designated by me, or (2) to certain other parties specifically designated in that statute.

I further understand that the person designated by me above as a person to whom the records may be made available is not bound by the statutory sealing requirements of CPL 160.50.

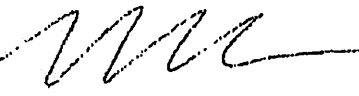
The records to be made available to the person designated above comprise all records and papers relating to my arrest and prosecution in the criminal action identified herein on file with any Court, police agency, prosecutor's office or state or local agency that were ordered to be sealed under the provisions of CPL 160.50.

  
Vernon Covington

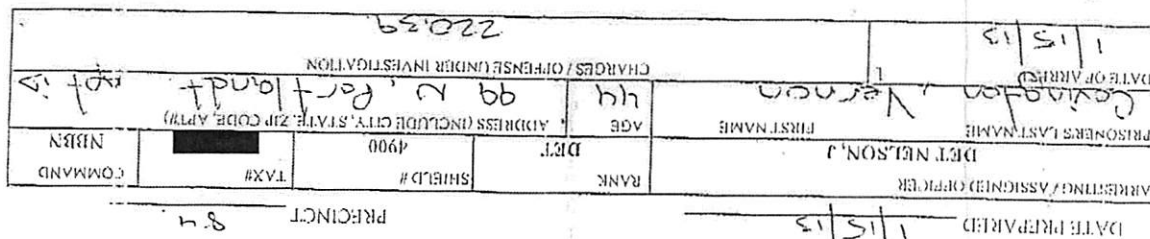
STATE OF NEW YORK     )  
  ) SS.:  
COUNTY OF NEW YORK    )

On this 17 day of April, 2014, before me personally came Vernon Covington, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

MICHAEL LUMER  
Notary Public, State of New York  
No. 02LU8127017  
Qualified in New York County  
Commission Expires May 23, 2017

  
Notary Public

Revised 12/12/07



THE FOLLOWING PROPERTY HAS BEEN REMOVED FROM YOUR POSSESSION AND ACQUIRED:

PROPERTY REMOVED

CURRENCY

(LNUOVN NVTIOU)

CTHER

~~Kyocera cell phone~~

well placed battery

पुन्य १

IN ORDER TO INQUIRE ABOUT DISPOSITION OF YOUR PROPERTY  
YOU ARE ADVISED TO CALL THE FOLLOWING LOCATION  
ONDAY THROUGH FRIDAY (9AM - 6PM)  
COMMAND:

ONDAY THROUGH FRIDAY (9AM - 6PM)

COMMAND:

PROPERTY RETURNED

THE FOLLOWING PROPERTY IS/ARE:

URGENCY

\$0.00

THE

15. 10. 2020

we have finished.

सर्वप्रथम

Misc. words & phrases.

1 HAVE RECEIVED A COPY OF THIS NOTICE REGARDING PROPERTY REMOVED AND/OR RETURNED TO ME

ILLINOIS SINGLES

Version Control

DATE:

RECEIVED ISSUED A COPY OF THIS RECEIPT TO THE ABOVE DEFENDANT

BET NELSON, J  
NO NAME PRINTED

NO NAME PRINTED

11/5/11

TEKLYSORS SIGNATURE

STAFF WORK NAME PRINTED

DATE \_\_\_\_\_

1. ORIGINAL TO AG'S ARREST FOR PER  
2. COPY TO BE GIVEN TO DEFENDANT.

3. PLACE COPY IN AIRPOST PACKAGE TO D.A.  
4. ATTACH COPY TO PROPERTY CLERKS INVOICE



**TACTICAL PLAN**  
Rev: 05-10  
PD381-090

Date 01/15/2013 Tour 1500X2333 Color Of The Day GREEN Module No. 88/84 Assignment (Pct.) 88/84

Time of TAC Meeting 1645 Radio TAC S ☒ Buy and Bust ☐ Case Case # (if applicable) \_\_\_\_\_

Arresting Officer (Rank, Last Name, First, M.I.) DET NELSON, JENNY-ANN Tax No. \_\_\_\_\_

Training: (e.g., Precinct Crime Trends, Recent Shootings, Index Crime Spikes, Assault on MOS, Member Safety, Sensitive or Hazardous Locations, Known Community Concerns, etc.)  
RECENT SHOOTINGS: 848 FULTON ST., HOMICIDES, BURGLARY CONDITION 88 PCT

Tactics Discussed: (e.g., Coordination with Patrol, Car Stops, Firearms Control, U/C Safety, Include Discussion of Potential Hazards e.g., Dogs, Children, Fortifications, etc.)  
CAR STOP SAFETY, USE OF FORCE REGARDING PRISONERS, PRISONER SEARCHES, RENTAL AUTO SAFETY, FIREARMS CONTROL, FIREARMS CONTROL, U/C SAFETY, UNIFORMED PERSONEL ENCOUNTERS

Weather: ☐ Clear ☒ Overcast ☒ Rain ☐ Snow ☐ Windy ☐ Other \_\_\_\_\_

Equipment Inspection: ☒ Raid Jacket ☒ Vest ☒ Flashlight ☒ OC Spray ☒ Chains ☒ Megaphone ☒ Chains  
Kel No. 221 Kel Receiver No. 9981355 Booster/Repeater ☒ Yes ☐ No

Supervisor Certifying Operability of Kel (Print Rank, Name) Mandatory If Kel Used C. Giovingo Signature: \_\_\_\_\_ Tax No. \_\_\_\_\_  
☒ Kel Operable SGT GIOVINGO

Team Leader	Radio #.	Team No. 1	Radio #.	Team No. 2	Radio #.
<u>SGT GIOVINGO</u>	<u>R/A</u>	<u>DET ZEFFIRO</u>	<u>R/A</u>		
<u>DET. NELSON</u>	<u>R/A</u>	<u>DET MAURO</u>	<u>R/A</u>		
<u>DET GOODWIN</u>	<u>R/A</u>	<u>DET COHEN</u>	<u>R/A</u>		
Assignment		Assignment		Assignment	
<u>TEAM LEADER/ A/O</u>		<u>CHASE</u>			
Equipment		Equipment		Equipment	
Megaphone (mandatory) <input checked="" type="checkbox"/> Yes <u>RAM</u>					
Auto #.		Auto #.		Auto #.	
<u>3298</u>		<u>2969</u>			
Color/Make:		Color/Make:		Color/Make:	
<u>BL KIA</u>		<u>BLK MAZDA</u>			
Team No. 3	Radio #.	Prisoner Van	Radio #.	Undercover Officer(s):	Radio #.
		<u>DET WRIGHT</u>	<u>R/A</u>	<u>#C0234</u>	<u>R/A</u>
		<u>DET VALENTIN</u>	<u>R/A</u>	<u>#C0272</u>	<u>R/A</u>
Assignment		Equipment		Assignment	
<input type="checkbox"/> Marked RMP					
Supervisor Authorizing:		Auto #.		Equipment	
		<u>9159</u>		<u>KEL, GHOST SET</u>	
Reason for Use		Color/Make:		Auto #.	
		<u>BL FORD</u>		<u>CONFIDENTIAL</u>	
Location Used		Prisoner Van Search (at start of tour):		Color/Make:	
		<input type="checkbox"/> Positive <input checked="" type="checkbox"/> Negative		<u>CONFIDENTIAL</u>	
		At end of tour, make Activity Log or Daily Activity Report entry			

Location	Set-Up Location	Reason for Deployment (Shooting location, Kite, Precinct Plan, Impact zone, Drug sold / brand name etc.)	Time(s) of Visit
1. <u>CLINTON &amp; FULTON</u>	<u>V/O</u>	<u>NARCO PLAN</u>	
2. <u>CARLTON &amp; MYRTLE</u>	<u>V/O</u>	<u>NARCO PLAN</u>	
3. <u>FARRAGUT HOUSES</u>	<u>V/O</u>	<u>NARCO PLAN</u>	
4. <u>SCHERMERHORN&amp;HOYT</u>	<u>V/O</u>	<u>NARCO PLAN</u>	
5. <u>918 FULTON ST</u>	<u>V/O</u>	<u>SHOOTING LOCATION</u>	
6. <u>505 MYRTLE AVE</u>	<u>V/O</u>	<u>KITE LOCATION</u>	
7. <u>383 STATE ST</u>	<u>V/O</u>	<u>KITE LOCATION</u>	
8. <u>154 HICKS ST</u>	<u>V/O</u>	<u>KITE LOCATION</u>	

Emergency Hospital BROOKLYN HOSPITAL Location ASHLAND&DEKALB Hospital Route ASHLAND TO DEKALB

Supervisor's Cell Phone# \_\_\_\_\_ Conferred w Pct/PSA? ☒ Yes ☐ No If Yes, Rank Name of MOS SGT. FELI D SHTEYN

Prepared By: (Lt./Sgt.) SGT. GIOVINGO Supervisor's Signature: \_\_\_\_\_ Tax No: \_\_\_\_\_

Post-Enforcement Tactical Meeting

Time of Meeting \_\_\_\_\_ Location NBBN Supervisor Conducting SGT. GIOVINGO

**NYC 18**

New York City Police Department OmniForm System - Arrests																									
<b>RECORD STATUS: ARR PRG CMPL</b>																									
<b>Arrest ID: K13604704 - J</b>																									
<b>Arrest Location: FRONT OF 132 CARLTON AVENUE</b>																									
<b>Pct: 088</b>																									
<b>Arrest Date: 01-15-2013</b> Processing Type: ON LINE <b>Time: 19:20:00</b> DCJS Fax Number: K0003522 Sector: J Special Event Code: NA - NARC TNT ENFORC Strip Search Conducted: NO DAT Number: 0 Viper Initiated Arrest: NO Stop And Frisk: NO Return Date: 0000-00-00 Serial #: 0000-000-00000																									
<b>ARREST DATA - COMPLAINT NOT REQUIRED</b>																									
Jurisdiction: NYPD <u>NYC School Safety Data:</u> <u>NYC Transit Data:</u> Premises: STREET On School Property: Station: Location Within: PUBLIC SIDEWALK School Type: Line #: Occur Date/Time: 2013-01-15 - 19:12 School Num: Location: <u>NYC Housing Development:</u> School Name: Offense Location: NORTH EAST CORNER WASHINGTON PARK & MYRTLE AVENUE Borough: BROOKLYN																									
<b>CHARGES:</b>																									
<b>Arrest #: K13604704</b>																									
<table border="1"> <thead> <tr> <th>CHARGE ATTEMPT</th> <th>LAW CODE</th> <th>CLASS</th> <th>TYPE</th> <th>COUNTS</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>TOP</td> <td>No</td> <td>PL 220.16 01 F</td> <td>B</td> <td>1</td> <td>CPCS-3RD:NARC DRUG INT/SELL</td> </tr> <tr> <td>#02</td> <td>No</td> <td>PL 220.39 01 F</td> <td>B</td> <td>1</td> <td>CSCS-3RD:NARCOTIC DRUG</td> </tr> <tr> <td>#03</td> <td>No</td> <td>PL 220.03 M</td> <td>A</td> <td>1</td> <td>CRIM POSS CONTRL SUBST-7TH</td> </tr> </tbody> </table>		CHARGE ATTEMPT	LAW CODE	CLASS	TYPE	COUNTS	DESCRIPTION	TOP	No	PL 220.16 01 F	B	1	CPCS-3RD:NARC DRUG INT/SELL	#02	No	PL 220.39 01 F	B	1	CSCS-3RD:NARCOTIC DRUG	#03	No	PL 220.03 M	A	1	CRIM POSS CONTRL SUBST-7TH
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<b>DETAILS:</b>																									
<b>Arrest #: K13604704</b>																									
AT TIPO DEFT. DID EXCHANGE A QUANTITY OF CONTROLLED SUBSTANCE TO A UCPO FOR USC PRBM.																									
<b>DEFENDANT: COVINGTON, VERNON</b>																									
NYSID #: Arrest #: K13604704																									
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HOME-PERMANENT	99 NORTH PORTLAND AVENUE	BROOKLYN, NEW YORK		10		088																			
Phone # and E-Mail Address:																									
N.Y.C.H.A. Resident: YES N.Y.C. Housing Employee: NO On Duty: NO Development: WHITMAN N.Y.C. Transit Employee: NO																									
<b>Physical Force: NONE</b>																									
Gun: Weapon Used/Possessed: NONE Make: Recovered: Non-Firearm Weapon: Color: Serial Number Defaced: Other Weapon Description: Caliber: Serial Number: Type: Discharged: NO																									
Used Transit System: NO Station Entered: Time Entered: Metro Card Type: Metro Card Used/Poses: Card #:																									
<b>CRIME DATA</b>																									
<b>DETAILS</b>																									



ARREST Report - K13604704

Page 2 of 2

MODUS OPERANDI	UNKNOWN
ACTIONS TOWARD VICTIM	UNK
CLOTHING	OUTERWEAR - SWEAT SHIRT OR JOGGING JACKET - BLACK
CLOTHING	HEADGEAR - SKI CAP OR WATCH CAP - BLACK
CLOTHING	ACCESSORIES - JEANS - BLACK
CLOTHING	FOOTWEAR - SNEAKERS - BLACK
CHARACTERISTICS	GOATEE
BODY MARKS	-UNKNOWN
BODY MARKS	-UNKNOWN
IMPERSONATION	UNKNOWN

<b>JUVENILE DATA:</b>	Arrest #: K13604704
Juvenile Offender: Relative Notified: Personal Recog: Number Of Priors: 0 Name: School Attending: Phone Called: Mother's Maiden Name: Time Notified:	

<b>ASSOCIATED ARRESTS:</b>	Arrest #: K13604704
<b>ARREST ID COMPLAINT #</b>	

<b>DEFENDANTS CALLS:</b>	Arrest #: K13604704						
<table border="1"> <thead> <tr> <th>CALL #</th> <th>NUMBER DIALED</th> <th>NAME CALLED</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>--</td> <td>REFUSED</td> </tr> </tbody> </table>		CALL #	NUMBER DIALED	NAME CALLED	1	--	REFUSED
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1	--	REFUSED					

<b>INVOICES:</b>	Arrest #: K13604704				
<table border="1"> <thead> <tr> <th>INVOICE#</th> <th>COMMAND</th> <th>PROPERTY TYPE</th> <th>VALUE</th> </tr> </thead> <tbody> </tbody> </table>		INVOICE#	COMMAND	PROPERTY TYPE	VALUE
INVOICE#	COMMAND	PROPERTY TYPE	VALUE		

<b>ARRESTING OFFICER: DT3 JENNYANN NELSON</b>	Arrest #: K13604704
Tax Number: Other ID (non-NYPD): Shold: 4900 Department: NYPD Command: 547 On Duty: YES In Uniform: NO Squad: NB Chart: 36 Primary Assignment:	Force Used: NO Type: Reason: Officer Injured: NO

Arresting Officer Name:	Tax #:	Command:	Agency:
DT3 NELSON, JENNYANN		547	NYPD
Supervisor Approving:	Tax #:	Command:	Agency:
SGT GIOVINGO CARLO		538	NYPD
Report Entered by:	Tax #:	Command:	Agency:
DT3 VALENTIN, RUPE		547	NYPD

END OF ARREST REPORT K13604704
-----------------------------------

[Print this Report](#)


**BUY REPORT/COMPLAINT  
FOLLOW-UP  
INFORMATIONAL**
**Crime**  
U/C Buy Attempts

**Pct**  
088
**DRAFT**
**U/C Complaint No.**  
2013-538-000127S

**U/C Case No.**  
2013-547-000015S

**Date of  
this Report**  
01/15/2013  
23:47

**DO NOT USE THIS FORM TO REPORT: CRIME CLASSIFICATION CHANGES, CASE CLEARANCES, ALL ARRESTS, RECOVERED PROPERTY, ADDITIONAL STOLEN PROPERTY, SERIAL NUMBERS OBTAINED FOR PROPERTY PREVIOUSLY REPORTED.**

**Subject: Buy Report**

<b>Date</b> 01/15/2013	<b>Time</b> 19 : 12	<b>Location</b> C/O MYRTLE AND WASHINGTON PK
<b>Buy Money Rec'd From</b> DET. NELSON	<input checked="" type="checkbox"/> <b>Buy &amp; Bust</b> <input type="checkbox"/> <b>Case/Kite Buy</b>	<b>Case/Kite No.</b>
<b>A/O</b> DET. NELSON	<b>Field Team</b> SGT. GIOVINGO, DET. NELSON, DET. GOODWIN, DET. ZEFFIRO, DET. MAURO, DET. COHEN, DET. WRIGHT, DET. VALENTIN, UC#C0272	
<b>Name/JD</b> JD-MARQUIS, JD-BLACK	<b>Drug/Item</b> HEROIN	<b>Cost</b> 30.00

**Description (Subjects):**

JD-MARQUIS: (LOWE, MARVIN), MALE BLACK, 165LBS, 58 YEARS OLD, 5'6, WEARING BLACK COAT, BLUE JEANS  
 JD-BLACK: (COVINGTON, VERNON) MALE BLACK, 300LBS, 44 YEARS OLD, 6', WEARING BLACK JACKET, BLUE JEANS

<b>Post Arrest ID Made</b>	<b>Date</b> 01/15/2013	<b>Time</b> 1920	<b>Location</b> C/O MYRTLE AND N. PORTLAND	<b>To Whom</b> DET. NELSON
<b>U/C Sign &amp; Seal Narco Envelope</b>	<b>Location</b>			<b>Time</b> :
<b>U/C Narcotics Envelope No.</b> NA			<b>Invoice No.</b> 3000168799	
<b>Narcotics Envelope No.</b> 5371565			<b>Security Envelope No.</b> 1201266807	<b>UTL # (Old NDV #)</b> NA
<b>Ghost(s)</b> UC#C0272				
<b>Weather</b> COLD			<b>Lighting</b> ARTIFICIAL	

[http://nyc.gov/html/stop-and-frisk/stop-and-frisk/ReportManagement/ApplyTransform.aspx](#)

1/16/2013

Stash

☒ Not Buy Money  
 Recovered

## Recovered

## Comments/Details:

At T/P/O I UC#C0234 did approach JD-MARQUIS ( Later known to me as MARVIN LOWE) and engaged him in a drug related conversation. I asked, " Yo, you see that dude around?" He replied, " What you looking to get?" I then said, " I don't want to put my buisness out ther but I was looking." He said, " You need some dope." I said, " Of course." He said, " Come with me." He then asked, " How much you want." I said, " I got 30 bucks make it work." I then handed him 30 dollars USC PRBM. He took the money and said, " Wait right here." He then walked away out of my sight. He returned a short time later and handed me 2 glassines of heroin. I then walked away and informed the field team of what transpired. The dialogue between myself and the subject is not verbatim but a synopsis.

Purchase Made By	Rank User	Name (U/C #) C0234, C0234 c0234	Signature <i>C. G. Gowing</i>
Supervisor Signature	<i>C. G. Gowing</i>		Command <i>MAA</i>



A/O DET. NELSON, J TAX            SHIELD 4900 BO#           ARREST DATE: 01/15/13 ARREST TIME 1920 TOUR OF A/O           LOCATION OF ARREST: #10 132 Carlton PCT:           LOCATION OF OCCURANCE Mgth + Washington TIME 1912DEFT'S NAME Covington, Vernon NICKNAME           ADDRESS 99 N. Portland APT# 1DSEX: M RACE: Blk SKIN TONE M DOB: 05/17/68 AGE: 44 HEIGHT 6'7"WEIGHT 300 EYES Brn HAIR Blk MUSTACHE/BEARD/GOATEE           TATOO / LOCATION           JACKET Blk Jean SHIRT            PANTS Blk jeansHAT Blk Ski FOOTWEAR Blk Sneakers BIRTHPLACE B NY C. TIZEN Y/N           MARRIED / SINGLE           TELEPHONE #            S.S # 061-58-6335DRIVER LIC #            PHONE Y/N IMEI#           CHARGE 220.39 220.16 220.06 220.03 221.40 221.10 OTHER           ARREST EVIDENCE:           ARREST #:            NYSID: #           

## PAST CRIMINAL HISTORY: (must pick one from each column - add comments if necessary)

<input type="checkbox"/> NO PRIOR ARRESTS	<input type="checkbox"/> NO NARCO ARRESTS	<input type="checkbox"/> COMMENTS <u>          </u>
<input type="checkbox"/> ONE PRIOR ARREST	<input type="checkbox"/> ONE PRIOR NARCO ARREST	<u>          </u>
<input type="checkbox"/> TWO OR MORE PRIOR ARREST	<input type="checkbox"/> TWO OR MORE PRIOR NARCO ARREST	<u>          </u>

## REASON FOR ARREST (must pick one)

<input type="checkbox"/> PRECINCT PLAN (PROVIDE PLAN #) <u>          </u>	<input type="checkbox"/> COMMUNITY COMPLAINTS	<input type="checkbox"/> OTHER <u>          </u>
<input type="checkbox"/> KITE (PROVIDE KITE #) <u>          </u>	<input type="checkbox"/> HIGH NARCO RADIO RUNS	<u>          </u>
<input type="checkbox"/> HOMICIDE/SHOOTING: DATE <u>          </u>	<input type="checkbox"/> HIGH SHOOTING RADIO RUNS	<u>          </u>
LOCATION: <u>          </u>	<input type="checkbox"/> CAR STOP	<u>          </u>

DID ARRESTEE PROVIDE ANY INTEL?           DAT YES / NO WHY / WHY NOT           DAT #            PCT DAT # ISSUED            COMMAND LOG           PAGE           SGT/LT NAME:            DISPOSITION: UNIVERSAL SUMMONS / DAT / KEEPER  
(AUTHORIZING THE ARREST) (CIRCLE ONE)